THE HONOURABLE SRI JUSTICE D.S.R.VARMA

Writ Petition No.901 of 2006

Dated: 17th January, 2006

Between:

Smt. K.Raja Ratnam, w/o Kutumba Rao,

Aged 48 years, Occ: House Wife, r/o G-7,

Tirumala Apartments, Jaya Nagar,

Saidabad, Hyderabad & 2 others.

…..PETITIONERS

AND

Government of Andhra Pradesh, rep by

Its Secretary, Revenue Department, secretariat

Buildings, Hyderabad & 2 others.

….RESPONDENTS

THE HONOURABLE SRI JUSTICE

D.S.R.VARMA

W.P.No.901 of 2006

ORDER:

Heard both sides.

This writ petition questions the action of the 1st respondent in not disposing of the representation dated 31-12-2005 of the petitioners seeking regularization of their lands situated in Sy.No.124, Badangpet village, Saroor Nagar Mandal, Ranga Reddy District.

The facts in a nutshell can be narrated as follows:

The petitioners are the absolute owners and possessors of their respective agricultural lands having purchased the same through Registered Sale Deeds from Mr.N.Hanumantha Rao. The said Mr.N.Hanumantha Rao filed a declaration under the provisions of the Andhra Pradesh Land Reforms (Ceiling of Agricultural Holdings) Act, 1973 behind the back of the petitioners and who by an order dated 19-1-1977 was declared as surplus land holder in respect of the various lands including the lands in Sy.No.124 of Badangpet village, Saroor Nagar Mandal, Ranga Reddy District in which Mr.Hanumantha Rao already sold the lands to the petitioners through registered sale deeds. Against the order of the 2nd respondent under Section 8 (1) of the Act, Mr.N.Hanumantha Rao filed objection petition on 25-6-2004 alleging that he obtained a lay-out on 10-5-1975 in respect of land in Sy.No.124 to an extent of Ac.12-02 guntas and sought for exemptions and benefits under G.O.Ms.No.289 dated 1-6-1989 and the 2nd respondent based on the alleged lay-out of the Sarpanch of the Gram Panchayat, Badangpet village, Saroor Nagar Mandal, R.R. District passed the order dated 18-7-2004 granting exemptions in respect of the land in Sy.No.124. Either at the time of the sale or subsequently there is no change in the usage of land so as to enable Mr.Hanumantha Rao to convert the agricultural lands into house plots. After the sales are made in favour of the petitioners the title is passed on to the petitioners and inasmuch as the petitioners are in physical possession and enjoyment of their respective lands and they are entitled for benefit under the G.O.Ms.No.455 dated 29-7-2002 issued by the 1st respondent they made a common representation dated 31-12-2005 to the first respondent seeking regularization of their respective lands. Pending common representation of the petitioners, the staff of the third respondent are trying to dispossess the petitioners. Hence, this writ petition.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

Admittedly, the petitioners are in physical possession and enjoyment of the government land having purchased the same from Mr.N.Hanumantha Rao who was declared as surplus land holder. It seems the petitioners filed a common representation dated 31-12-2005 seeking regularization of their respective lands under G.O.Ms.No.455 dated 29-7-2002 and the respondents without considering the representation are trying to dispossess the petitioners from their respective lands.

Having regard to the facts and circumstances, the respondents are directed to consider the representation dated 31-12-2005 filed by the petitioners seeking regularization of their respective lands under G.O.Ms.No.455 dated 29-7-2002. Till the representation filed by the petitioners is disposed of, *status quo* existing as on today shall be maintained.

The writ petition is accordingly disposed of at the admission stage. No costs.

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(D.S.R.VARMA, J.)

Date:17th January, 2006.

GRK